

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

NELSON SHIRLEY,

Plaintiff,

v.

FMC TECHNOLOGIES, INC.,
TECHNIP FMC PLC, and
TECHNIPFMC US HOLDINGS, INC.,

Defendants.

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1:20-CV-261-RP

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Susan Hightower concerning Plaintiff Nelson Shirley's ("Shirley") Application to Confirm Arbitration Award, (Dkt. 1), and Defendants FMC Technologies, Inc., Technip FMC PLC, and TechnipFMC US Holdings' ("FMC") Motion to Vacate Arbitration Award, (Dkt. 7). (R. & R., Dkt. 19). In her report and recommendation, Judge Hightower recommends that the Court deny FMC's Motion to Vacate Arbitration Award, (Dkt. 7), grant Shirley's Application to Confirm the Final Arbitration Award, (Dkt. 1), and enter judgment consistent with the Final Arbitration Award. (R. & R., Dkt. 19, at 11). FMC timely filed objections to the report and recommendation. (Objs., Dkt. 20).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C.

§ 636(b)(1)(C). Because FMC timely objected to each portion of the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so, the Court overrules FMC's objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Susan Hightower, (Dkt. 19), is **ADOPTED**.

Accordingly, **IT IS ORDERED** that Shirley's Application to Confirm the Final Arbitration Award, (Dkt. 1), is **GRANTED**, and FMC's Motion to Vacate Arbitration Award, (Dkt. 7), is **DENIED**.

The Court will enter final judgment under separate order.

SIGNED on December 2, 2020.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE